

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Henry Simes

Docket No. 5:11-CR-194-2D

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Henry Simes, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute and Distribute 28 Grams or More of Cocaine Base (Crack) and 500 Grams or More of Cocaine, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on July 19, 2012, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

John Henry Simes was released from custody on September 2, 2016, at which time the term of supervised release commenced. The court received notice of the defendant's use of cocaine in March 2017. He was referred for substance abuse treatment and continued on supervision. In June 2017, the court was informed of additional use of cocaine and his acceptance into an inpatient treatment program.

On May 11, 2018, the conditions of supervision were modified in response to his acceptance into the HOPE Court Program. The defendant withdrew from the HOPE Program on June 7, 2018.

On August 1, 2018, the court modified the defendant's conditions of supervision to include 30 days curfew with electronic monitoring in response to his positive drug test on July 9, 2018.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During a home contact with the defendant, he shared his struggle with depression and the need for mental health attention. As such, a mental health condition appears appropriate so that Simes can obtain services through First Step Services. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

John Henry Simes
Docket No. 5:11-CR-194-2D
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Julie Wise Rosa
Julie Wise Rosa
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8675
Executed On: August 8, 2018

ORDER OF THE COURT

Considered and ordered this 15 day of August, 2018, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge